

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

ROBERT KAHN, an individual;
SILVANA SERAJI, an individual;
ROBERT H. GARDNER JR., an
individual; ROBERT H. GARDNER
SR., an individual; KYLE KOCH, an
individual; BRADLEY WILLIAMS, an
individual; on behalf of themselves and
all others similarly situated,

Plaintiffs,

vs.

PALISADES COLLECTION, LLC, a
Delaware Limited Liability Company;
and JOHN AND JANE DOES
NUMBERS 1 THROUGH 25, BEING
FICTITIOUS NAMES OF
UNIDENTIFIED PERSONS WHO
CONTROL THE POLICIES AND
PRACTICES INVOKED BY
PALISADES COLLECTION, LLC,

Defendants.

Case 2:08-cv-05195-KSH-PS

**ORDER ENTERING JUDGMENT
PURSUANT TO FED.R.CIV.P. 68**

By letter dated August 27, 2009, Defendant, Palisades Collection, LLC, served an offer of judgment pursuant to Fed.R.Civ.P. 68 which, by notice filed on September 8, 2009 [Doc. 25], was accepted, and to effectuate the accepted offer of judgment, the parties request that judgment be entered, and the parties having consented to the form and entry of this Order and, by such consent, having

stipulated that the payments described in Paragraphs 1 through 6, below, were made, and for good cause shown;

IT IS ON THIS 21st DAY OF DECEMBER, 2009, ORDERED AND ADJUDGED:

1. Final Judgment be and hereby is entered in accordance with Defendant's Offer of Judgment, in the amount of \$1,000.00 in favor of Plaintiff, ROBERT KAHN, and against Defendant, PALISADES COLLECTION, LLC. The parties having stipulated that the amount adjudged in this Paragraph was paid, such judgment is hereby deemed satisfied except as provided in Paragraph 7.

2. Final Judgment be and hereby is entered in accordance with Defendant's Offer of Judgment, in the amount of \$1,000.00 in favor of Plaintiff, SILVANA SERAJI, and against Defendant, PALISADES COLLECTION, LLC. The parties having stipulated that the amount adjudged in this Paragraph was paid, such judgment is hereby deemed satisfied except as provided in Paragraph 7.

3. Final Judgment be and hereby is entered in accordance with Defendant's Offer of Judgment, in the amount of \$1,000.00 in favor of Plaintiff, ROBERT H. GARDNER JR., and against Defendant, PALISADES COLLECTION, LLC. The parties having stipulated that the amount adjudged in this Paragraph was paid, such judgment is hereby deemed satisfied except as provided in Paragraph 7.

4. Final Judgment be and hereby is entered in accordance with Defendant's Offer of Judgment, in the amount of \$1,000.00 in favor of Plaintiff, ROBERT H.

GARDNER SR., and against Defendant, PALISADES COLLECTION, LLC. The parties having stipulated that the amount adjudged in this Paragraph was paid, such judgment is hereby deemed satisfied except as provided in Paragraph 7.

5. Final Judgment be and hereby is entered in accordance with Defendant's Offer of Judgment, in the amount of \$1,000.00 in favor of Plaintiff, KYLE KOCH, and against Defendant, PALISADES COLLECTION, LLC. The parties having stipulated that the amount adjudged in this Paragraph was paid, such judgment is hereby deemed satisfied except as provided in Paragraph 7.

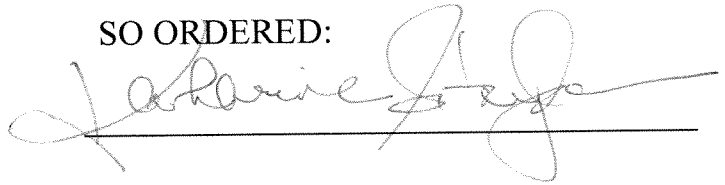
6. Final Judgment be and hereby is entered in accordance with Defendant's Offer of Judgment, in the amount of \$1,000.00 in favor of Plaintiff, BRADLEY WILLIAMS, and against Defendant, PALISADES COLLECTION, LLC. The parties having stipulated that the amount adjudged in this Paragraph was paid, such judgment is hereby deemed satisfied except as provided in Paragraph 7.

7. Plaintiffs are hereby awarded reasonable attorneys fees and costs in such amount as to be determined either by (i) the parties' agreement set forth in a consent order submitted to the Court or (ii) motion pursuant to L.Civ.R. 54.1 and 54.2 to be filed by the 30th day following the filing of this Order.

8. All class claims are dismissed without prejudice to the rights of the putative class members.

9. Defendant has expressed a desire to file a motion for attorney's fees under 15 U.S.C. §1692k(a)(3)(last sentence), which if filed, must be filed by the 30th day following the filing of this Order. Plaintiffs' position is that such a motion may not be properly filed. If the Defendant files such a motion, this Order will not be construed as barring Plaintiff from demonstrating that this Order or the accepted Offer of Judgment affects Defendant's right to any relief requested in that motion.

SO ORDERED:

A handwritten signature in black ink, appearing to read "Honorable Judge", is written over a horizontal line.

Consent to form and entry:

s/Philip D. Stern

Philip D. Stern, Esq.
Philip D. Stern & Associates, LLC
Attorneys for Plaintiffs

s/ Jonathan J. Greystone

Jonathan J. Greystone, Esq.
Spector Gadon & Rosen P.C.
Attorneys for Defendant, Palisades
Collection, LLC